

DELEGATION OF AUTHORITY

DATE: 8-15-17

CLEAN AIR ACT

7-44. Noncompliance Penalty: De Minimis Exemptions

1. PURPOSE AND AUTHORITY.

A. Purpose. To redelegate the authorities contained in Delegation 7-44 issued by EPA Headquarters on January 18, 2017.

B. Authority. Pursuant to Section 120 of the Clean Air Act (CAA) with regard to the requirements of the noncompliance penalty section where a particular instance of noncompliance is due to a violation which is de minimis in nature and duration:

- a. to publish a notice and provide an opportunity for a public hearing; and
- b. to grant an exemption from the requirements.

2. TO WHOM REDELEGATED.

A. The Director, Office of Environmental Stewardship (OES).

3. REDELEGATION AUTHORITY.

A. These authorities may be redelegated to the Branch Chief level, or equivalent, and no further.

B. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

4. LIMITATIONS.

A. Prior to exercising this authority, the Director, OES must consult with the Regional Administrator (RA) and the Assistant Administrator (AA) for the Office of Enforcement and Compliance Assurance (OECA).

B. The RA and the AA for OECA may waive, in writing, the consultation requirement.

C. This authority may not be redelegated without the concurrence of the Regional Directives Officer, Human Resources Office, Office of Administration and Resource Management.

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D. The AA for OECA may exercise these authorities in multiregional cases or in cases of national significance.

E. The AA for OECA must notify any affected RA prior to exercising any of the above authorities.

5. ADDITIONAL REFERENCES. Section 120 of the CAA.

6. SUPERSESSION. None.



Deborah A. Szaro  
Acting Regional Administrator

8/15/17  
Date